

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

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Massimiliano Pincione, :
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 Plaintiff, :
 vs. :
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 David Dale, :
 Defendant. :
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 ----- X CASE NO.: 1:11cv 367 AJT/IDD
David Dale
and :
SMI Hyundai Corporation Ltd. :
Counterclaim Plaintiffs :
v. :
Massimiliano Pincione :
and :
H.R.H. Prince Khaled Bin Al Waleed :
Counterclaim Defendants :
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PLAINTIFF MASSIMILIANO PINCIONE'S EXHIBIT LIST

Pursuant to Fed. R. Civ. P. 26(a)(3) and this Court's Scheduling Order, Plaintiff
Massimiliano Pincione provides as follows for his exhibit list in the trial of this matter:

Exhibit	Item Description	I.D.	ADM.
1	Complaint (April 7, 2011)		
2	Defendant's Responses to Plaintiff's First Set of Interrogatories, and supplemental responses		
3	May 7, 2010 First Agreement between SMI-Hyundai Corporation and PKMP		
4	May 7, 2010 Second Agreement between SMI-Hyundai Corporation and PKMP		
5	May 18, 2010 Agreement between SMI-Hyundai Corporation and PKMP		
6	Emails from Peter Jung to Max Pincione, Keith Edison, Re: Keep me out of this		
7	Email from Khaled, dated April 2, 2010, Re: FW		
8	Email from David Dale to Max Pincione, dated November 16, 2010, Re: Separation and Settlement Agreement with attachment		
9	Emails from/to David Dale Re: Communications, dated February 2011, Re: Communication		
10	Email from David Dale to Prince Khaled, dated February 2011, Re: Negotiations		
11	Email from Man Kim to Max Pincione, dated September 14, 2010, Re: ODAC Payment		
12	Emails from David Dale, dated March 2011, Re: Settlement		
13	Emails between Man Kim and Prince Khaled, dated June 13, 2011 Re: RE		
14	Letter from HeimLantz to HRH Prince Khaled, dated December 4, 2009 with attachment		
15	Cost for Each Project Charts		

16	Email from Khaled Talal, dated March 17, 2011 Re: FW		
17	Transfer Instructions and Agreement of Contractual Settlement		
18	Engagement & Representation Agreement between SMI Hyundai Corporation Ltd and Prince Khaled and Max Pincione, dated September 24, 2009		
19	Amendment to Agreement between SMI Hyundai Corporation Ltd and Prince Khaled and Max Pincione, dated September 24, 2009		
20	Handwritten Agreement between PKMP and SMI-Hyundai, dated April 9, 2010		
21	Summary of Filed Issues		
22	Email between Man Kim, Max Pincione and David Dale, dated September 23, 2010, Re: PK idea		
23	Emails between Man Kim, Prince Khaled, and Peter Jung, Re: RE, dated April 2010		
24	Plaintiff's Rule 26(A)(2) Expert Witness Disclosure, Robert W. Lesnevich's Report of Examination and Resume		
25	Documents relied upon by Expert Lesnevich		
26	Emails between Max Pincione and Ibrahim and El Hadi, dated August 2010, Re: Urgent		
27	Emails between Max Pincione and Ibrahim and El Hadi, dated August 2010, Re: Invoices with attachments		
28	Email to Max Pincione, dated September 7, 2010, Re: SWIFT 2 & Invoice with attachment		
29	Email to Max Pincione, dated August 31, 2010, Re: Invoice & Swift with attachments		
30	Emails to Max Pincione, dated August 2, 2010, Re: Wire Transfer with attachment		
31	Emails from/to Max Pincione, dated August 2, 2010, Re: Wire Transfer		

32	Emails from/to Max Pincione, dated August 10, 2010, Re: Wire Transfer		
33	Emails from/to Max Pincione, dated August 11, 2010, Re: Wire Transfer		
34	Emails between Peter Jung and Max Pincione, dated June 2010, Re: bnk info with attachments		
35	Emails between Peter Jung and Max Pincione, dated June 2010, Re: bnk info		
36	Transfer Instructions, For Credit to J&T Bank Attn SMI Hyundai Corporation		
37	Email from Max Pincione to Steve Tiddy, dated August 11, 2010, Re: no subject		
38	Email from Peter Jung to Max Pincione, dated February 24, 2010 meeting note		
39	Email from Max Pincione to Steve Tiddy, Chairman, dated May 24, 2010, Re: Wiring Instructions with attachments		
40	SWIFT Form for \$3.2 Million Transfer		
41	Emails from/to Max Pincione, dated July 25, 2010, Re: wire SWIFT with attachment		
42	Email from Peter Jung to Max Pincione, dated May 18, 2010, Re: Letter		
43	Email from Khaled Tala to Peter Jung, dated March 17, 2011, Re: no subject		
44	Intentionally Left Blank		
45	Emails between Khaled and David Dale, Man Kim, dated April 2010, Re: RE		
46	Intentionally Left Blank		
47	Emails between Man Kim and Max Pincione, dated February 2010, Re: scan copy with attachments		

48	Email from Peter Jung to Max Pincione, dated March 13, 2010, Re: Malcolm email		
49	Letter to Chairman Ali, Transfer Instructions		
50	SMI Hyundai letterhead		
51	Email between Max Pincione and El Hadi, dated July 30, 2010, Re: wire transfer		
52	Intentionally Left Blank		
53	Tripoli Green, Conference Palace, Tripoli Chart		
54	Email from Man Kim to Max Pincione and David Dale, dated September 23, 2010, Re: PK idea		
55	Email from David Dale to Max Pincione and Peter Jung, dated May 2, 2010, Re: Bank Arrangements		
56	Transcription and Translation of 17 Recordings for MK Kim; Recordings		
57	Man Kim Criminal Cases		
58	David Dale Criminal Case Opinion		
59	Emails between David Dale, dated January 3, 2011, Re: Fw		
60	Email from Max Pincione to Khaled, dated August 31, 2010, Re: no subject		
61			
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In addition to the above exhibits, Plaintiff reserves the right to use any exhibit at trial listed by the Defendant.

Plaintiff reserves the right to use, in whole or in part, the transcripts for the depositions taken during the case – several of which are not yet available to the Plaintiff.

Plaintiff reserves the right to use any prior recorded testimony or sworn statement of any witness that is unavailable to testify at trial.

Plaintiff reserves the right to use any pleading or written discovery response as an exhibit at trial.

Plaintiff reserves the right to use at trial any document marked as an exhibit during the depositions taken in this case.

Plaintiff reserves the right to submit exhibits for the purposes of rebuttal and/or impeachment as may arise at trial.

Plaintiff reserves the right to use demonstrative, illustrative and/or summary exhibits during trial.

Plaintiff reserves the right to amend and/or supplement their Exhibit List to include any subsequently discovered exhibits identified in discovery after submission of this pleading, including without limitations depositions conducted after this submission.

Dated: October 20, 2011

Respectfully submitted,

PCT LAW GROUP, PLLC

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Attorneys for Massimiliano Pincione

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on October 20, 2011, I filed the foregoing using the CM/ECF system which will send a notice of electronic filing through the Court's electronic filing system to the following:

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